

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, November 27, 1935.

The meeting was called to order at 10:30 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen C. F. Alford, Simon Gillis, Mayor Tom Miller, and Councilman Oswald G. Wolf, 4; absent, Councilman C. M. Bartholomew, 1.

The Minutes of the regular meetings of November 14 and November 21 were read and upon motion of Councilman Gillis were adopted as read by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Mr. Horace Barnhart presented a petition from residents of Enfield to have the park in the center of Enfield Road at its intersection with Castle Hill either removed or its width reduced in order to eliminate the traffic hazard at this point. The matter was referred to the City Manager for attention.

The application of Henry Viscardi for permit to erect a gasoline filling station at 12th and West Lynn Streets was submitted and action on the matter was deferred until the next regular meeting in order that all protesters may be given an opportunity to be heard.

Councilman Alford offered the following resolution:

WHEREAS, the curb and sidewalk specifications of the City of Austin which have been previously adopted by the City Council of the City of Austin require that all curbs and sidewalks be constructed of concrete unless a special permit has been secured from the City Council of the City of Austin to construct curbs and sidewalks of other materials; and

WHEREAS, Fred W. Schriber, owner of portions of Lots 27 and 28 of Enfield G, a subdivision within the City limits of the City of Austin, Travis County, Texas, which property abuts the north side of Polo Road at a location west of Hartford Road and being locally known as 1804 Polo Road, has requested the City Council of the City of Austin to grant permission to construct a flagstone walk from the curb line to the property line on the north side of Polo Road at the above described property; and

WHEREAS, the City Council of the City of Austin has investigated and approved the construction of said flagstone walk; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Fred W. Schriber, owner of portions of Lots 27 and 28 of Enfield G, a subdivision within the City limits of the City of Austin, Travis County, Texas, which property abuts the north side of Polo Road at a location west of Hartford Road and being locally known as 1804 Polo Road, is hereby granted permission to construct a flagstone walk from the property line to the curb line at the above described location and said walk is to be constructed under the supervision and direction of the City Engineer of the City of Austin and in accordance with lines and grades furnished by the Engineering Department of the City of Austin, and further subject to the following conditions:

That the stone shall be laid in a smooth and workmanlike manner and shall conform to the sidewalk grades as furnished by the Engineering Department of the City of Austin in order that said flagstone walk will not create a hazard to pedestrians.

That the stone shall be placed upon a 4" concrete base and that all work within the City street area shall be done by a bonded sidewalk contractor.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Gillis offered the following resolution:

WHEREAS, Mrs. Jennie Matejek, owner of the north 100'x69' of the east one-fourth of the northeast one-fourth of Outlot 26, Division "E" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, which property abuts West 19th Street and Nueces Street and being situated at the southwest intersection of said West 19th Street and Nueces Street, has made application to the City Council of the City of Austin for permission to set the curb back from the established curb line on the south side of West 19th Street and on the west side of Nueces Street at the above described property, thereby lessening the traffic hazard at this location by creating a greater width of travelway on West 19th Street and on Nueces Street; and

WHEREAS, a plan has been prepared showing the proposed layout of the above described setback and said plan has been considered and approved by the City Council of the City of Austin; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Mrs. Jennie Matejek, owner of the north 100'x69' of the east one-fourth of the northeast one-fourth of Outlot 26, Division "E", of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, which property abuts West 19th Street and Nueces Street and being situated at the southwest intersection of said West 19th Street and Nueces Street, is hereby granted permission to set the curb back from the established curb line on the south side of West 19th Street and on the west side of Nueces Street adjacent to the above described property.

Permission to construct the above described curb setback is granted subject to the same's being constructed in accordance with the plan approved by the City Engineer of the City of Austin, which plan is hereto attached marked 2-H-438 and is made a part hereof, and in accordance with the following conditions:

(1) That the construction of the setback area on West 19th Street and on Nueces Street shall be carried out in accordance with the accompanying plan marked 2-H-483 and that all such widened areas, driveways or ramps and curbs shall be constructed of concrete at the expense of the applicant.

(2) That all such concrete shall be not less than 6 inches in thickness and shall be of the following proportions: 1 part cement, 2½ parts of sand, and 4 parts of screened gravel or rock.

(3) That the concrete curbs adjacent to the sidewalk area shall be not less than 6 inches high and that an expansion joint not less than ¾ inch thick shall be placed between the curb and the sidewalk as shown on the plan hereto attached marked 2-H-483.

(4) That all such expansion joints shall be of the pre-moulded type.

(5) That all concrete work within the street area shall be done by a bonded sidewalk contractor.

(6) That the applicant shall be required to clean the newly created ramp area at least twice per week and shall dispose of the debris at his expense.

(7) That all work shall be done in accordance with lines and grades furnished by the Engineering Department of the City of Austin and under the direction of the City Engineer.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Alford offered the following resolution:

WHEREAS, the curb and sidewalk specifications of the City of Austin which have been previously adopted by the City Council of the City of Austin require that all curbs and sidewalks be constructed of concrete unless a special permit has been secured from the City Council of the City of Austin to construct curbs and sidewalks of other materials; and

WHEREAS, G. L. Peterson, owner of Lot 22, Block 26, of Travis Heights within the City of Austin, Travis County, Texas, which property abuts Milam Place and Alta Vista

Avenue and being situated at the northeast intersection of said Milam Place and Alta Vista Avenue, has requested the City Council of the City of Austin to grant permission to construct a flagstone walk from the east curb line of Alta Vista Avenue to the east property line of Alta Vista Avenue and to construct stone steps in conjunction therewith, which steps are not to be constructed to the City standard grades; and

WHEREAS, the said G. L. Peterson has released and acquitted the City of Austin from any and all damages that may result due to the construction of said special stone steps, which release is evidenced by an instrument of writing dated November 26, 1935, and being on file with the City Clerk of the City of Austin; and

WHEREAS, the City Council of the City of Austin has investigated and approved the construction of said flagstone walk and stone steps; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT G. L. Peterson, owner of Lot 22, Block 26 of Travis Heights within the City of Austin, Travis County, Texas, which property abuts Milam Place and Alta Vista Avenue and being situated at the northeast intersection of said Milam Place and Alta Vista Avenue, is hereby granted permission to construct a flagstone walk from the east curb line of Alta Vista Avenue to the east property line of Alta Vista Avenue and is granted permission to construct stone steps on a special grade not in accordance with the standard grades for such construction heretofore adopted by the City of Austin, and said walk and steps are to be constructed under the supervision and direction of the City Engineer of the City of Austin, and said walk is to be constructed in accordance with lines and grades furnished by the Engineering Department of the City of Austin, and further subject to the following conditions:

That the stone shall be laid in a smooth and workmanlike manner and shall conform to the sidewalk grades as furnished by the Engineering Department of the City of Austin in order that said flagstone walk will not create a hazard to pedestrians.

That the stone shall be placed upon a 4" concrete base and that all work within the City street area shall be done by a bonded sidewalk contractor.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Wolf offered the following resolution:

WHEREAS, Frank R. Rundell is the Contractor for the construction of a building located at 601 West 19th Street, and desires a portion of the sidewalk and street space abutting the north 100 feet of Lot 7, Block 26, Division "E" of the City of Austin, Texas, during the construction of the building, such space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. That space for the uses hereinabove enumerated be granted to said Frank R. Rundell, the boundary of which is described as follows:

Sidewalk and Street Working Space.

Beginning at the northeast corner of the above described lot; thence in a westerly direction along the north line of said lot a distance of 68 feet; thence in a northerly direction and at right angles to the centerline of West 19th Street a distance of 28'6"; thence in an easterly direction and parallel with the centerline of West 19th Street a distance of 68 feet; thence in a southeasterly direction to a point in the south line of West 19th Street 30 feet east of the west line of Nueces Street; thence in a southerly direction and parallel with the centerline of Nueces Street a distance of 100 feet; thence in a westerly direction and at right angles to the center line of Nueces Street a distance to the west line of Nueces Street; thence in a northerly direction along the west line of Nueces Street to the place of the beginning.

2. That the above privileges and allotment of space are granted to said Frank R. Rundell, hereinafter termed "Contractor," upon the following express terms and conditions:

(1) That the Contractor shall construct a 4-foot walkway through the above described

working space along the east, northeast, and north boundary lines of said street working space with walkway returns to the curb line at the south and west ends of said working space, such walkway to be protected on each side with guard rail at least 4 feet high and substantially braced and anchored.

(2) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such guard rail.

(3) That provision shall be made for the normal flow of all storm waters in the gutter, and the Contractor will be responsible for any damage done due to obstruction of any such storm waters.

(4) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness.

(5) That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

(6) That the Contractor shall remove all fences, barricades, loose materials, and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment, and other obstructions shall be removed not later than March 1, 1936.

(7) That the Contractor shall restore all public and private property injured during the use of such space to as good condition as the same existed before the use of such space began.

(8) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(9) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand (\$5,000.00) Dollars, which shall protect, indemnify and hold harmless the City of Austin from any claims for damages to any person or property that may accrue to or be brought by any person by reason of the exercise of the privileges granted the Contractor by the City of Austin, and shall guarantee the replacement of all sidewalks, pavement, and all other public property and public utilities disturbed or removed during the construction work, and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Gillis offered the following resolution:

WHEREAS, Scott Yeamans is the Contractor for the repair of a rear wall of a two-story brick store building located at 411-413 East Sixth Street, and desires to close the portion of the alley abutting the east 45 feet of Lot 2 and the west 19 feet of Lot 3, Block 59, of the Original City of Austin, Texas, during the repair of the wall, such space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. That space for the uses hereinabove enumerated be granted to said Scott Yeamans, the boundary of which is described as follows:

ALLEY WORKING SPACE

Beginning at a point in the south line of the above described Lot 2, 45 feet west of the southeast corner of said lot; thence in a southerly direction and at right angles to the centerline of the alley traversing Block 59 of the Original City of Austin a distance

to the south line of such alley; thence in an easterly direction along the south line of said alley a distance of 64 feet; thence in a northerly direction and at right angles to the centerline of said alley a distance to the north line of said alley; thence in a westerly direction along the north line of said alley to the place of the beginning.

2. That the above privileges and allotment of space are granted to said Scott Yeamans, hereinafter termed "Contractor," upon the following express terms and conditions:

(1) That the Contractor shall entirely block the alley only during such period of time as is necessary for the removal of the wall. During the period of reconstruction of the wall, the working space shall be limited to the north 8 feet of the above described working space. In accordance with these provisions, he shall construct a guard rail around the working space during the periods of actual use of said space, such guard rail to be at least 4 feet high and substantially braced and anchored.

(2) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such guard rail.

(3) That provision shall be made for the normal flow of all storm waters in the gutter, and the Contractor will be responsible for any damage done due to obstruction of any such storm waters.

(4) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness.

(5) That the Contractor shall remove all fences, barricades, loose materials, and other obstructions in the alley immediately after the necessity for their existence in said alley has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment, and other obstructions shall be removed not later than December 31, 1935.

(6) That the Contractor shall restore all public and private property injured during the use of such space to as good condition as the same existed before the use of such space began.

(7) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(8) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand (\$5,000.00) Dollars, which shall protect, indemnify and hold harmless the City of Austin from any claims for damages to any person or property that may accrue to or be brought by any person by reason of the exercise of the privileges granted the Contractor by the City of Austin, and shall guarantee the replacement of all sidewalks, pavement, and all other public property and public utilities disturbed or removed during the construction work, and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Wolf offered the following resolution:

WHEREAS, the Southwestern Bell Telephone Company has presented to the City Council tentative maps and plans showing the proposed construction of its underground conduits in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Engineer; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the Southwestern Bell Telephone Company be and the same is hereby permitted to construct its underground conduits in the following streets:

(1) An underground telephone conduit in EAST TENTH STREET ALLEY from Brazos Street to

San Jacinto Street, the centerline of which underground conduit shall be $1\frac{1}{2}$ feet north of and parallel to the south line of said East 10th Street Alley.

THAT the work and construction of said underground conduits, including the excavation of the streets and the restoration and maintenance of said streets after said underground conduits have been constructed, shall be under the supervision and direction of the City Manager and in accordance with the ordinances and regulations of the City of Austin governing such construction.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Wolf offered the following resolution:

WHEREAS, Texas Public Service Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Texas Public Service Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in EAST THIRTY-NINTH STREET, beginning at a point 15 feet west of and 9 feet south of the intersection of the east line of Becker Avenue and the north line of East 39th Street;

Thence in an easterly direction with the centerline of a gas main, which centerline shall be 9 feet south of and parallel to the north line of East 39th Street for a distance of 27 feet.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(2) A gas main in WEST THIRTY-EIGHTH AND ONE-HALF STREET from Speedway west 344 feet, the centerline of which gas main shall be 18 feet south of and parallel to the north line of said West 38 $\frac{1}{2}$ Street.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(3) A gas main in WEST FORTY-FOURTH STREET from Sinclair Avenue to Ramsey Avenue, the centerline of which gas main shall be 15 feet south of and parallel to the north line of said West 44th Street.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(4) A gas main in SINCLAIR AVENUE from West 44th Street south to a point that is 331 feet south of the south line of West 44th Street, the centerline of which gas main shall be 9 feet west of and parallel to the east line of said Sinclair Avenue.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(5) A gas main in HARTFORD ROAD, beginning at a point 48 feet south of the south line of Cromwell Hill and 25 feet east of the west line of Hartford Road;

Thence in a southerly direction with the centerline of a gas main, which centerline shall be 25 feet east of and parallel to the west line of Hartford Road, for a distance of 175 feet.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(6) A gas main in HARTFORD ROAD, beginning at a point 16 feet south of the north line of Summit View and 25 feet east of the west line of Hartford Road;

Thence in a southerly direction with the centerline of a gas main, which centerline shall be 25 feet east of and parallel to the west line of Hartford Road, for a distance of 128 feet.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(7) A gas main in DRAKE AVENUE, beginning at a point 19 feet west of the east line of Drake Avenue and 199 feet north of the north line of Monroe Street;

Thence in a northerly direction with the centerline of a gas main, which gas main shall be 19 feet west of and parallel to the east line of Drake Avenue, for a distance of 115 feet.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(8) A gas main in NELLIE STREET from South 5th Street easterly a distance of 121 feet the centerline of which gas main shall be $7\frac{1}{2}$ feet south of and parallel to the north line of said Nellie Street.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(9) A gas main in SOUTH FIFTH STREET, beginning at a point $7\frac{1}{2}$ feet south of and $7\frac{1}{2}$ feet west of the intersection of the north line of Nellie Street and the east line of South 5th Street;

Thence in a southerly direction with the centerline of a gas main, which centerline shall be $7\frac{1}{2}$ feet west of and parallel to the east line of said South 5th Street for a distance of $4\frac{3}{4}$ feet.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(10) A gas main in CHRISTOPHER STREET from Bouldin Avenue west $38\frac{1}{4}$ feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet south of and parallel to the north line of said Christopher Street.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

The Texas Public Service Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Texas Public Service Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments they shall apply to the City Engineering Department not less than three (3) days before such information is required. The Texas Public Service Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager and under all the pertinent terms and conditions of the certain franchise granted to said Company by the City of Austin.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

The City Manager submitted the following estimate:

"Austin, Texas
November 26, 1935

MEMORANDUM TO THE CITY COUNCIL:

The United States Government through the Works Progress Administration has approved the application of the City for the new construction and improvements proposed at the new playground area at 34th and Wabash.

The improvements authorized in the application are:

Grading and landscaping
Two Tennis Courts
Ball Diamond, Backstop and Fences
Wading Pool
Light, Water and Sewer Facilities
Shelter House and Accessories

The construction costs for the above are as follows:

Works Progress Administration -	\$ 8,243.00
City of Austin	4,751.30
Total	\$12,994.30

I recommend the approval of this project as the land has been bought and paid for (\$4,078.00) and the improvements proposed will make a finished playground of this area. Work is authorized to start December 6. The appropriation for this fiscal year is attached and the remainder of our part of the cost will be included in the 1936 Budget now being prepared.

(Sgd) Guiton Morgan
City Manager.

Councilman Wolf then offered the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the sum of \$750.00 be and the same is hereby appropriated out of the General Fund, not otherwise appropriated, for the purpose of taking care of a portion of the cost

of the improvements to be made on the new Playground at 34th and Wabash, in northwest Austin.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Gillis nominated Al Ehrlich as Clerk of the Corporation Court to succeed Cal Browne, deceased. The nomination was seconded by Mayor Miller and was confirmed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Wolf offered the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the sum of \$106.25 be and the same is hereby appropriated out of the General Fund, not otherwise appropriated, for the purpose of refunding taxicab licenses paid to the City of Austin by: John O. Dittlinger, August 20, 1918, in the amount of \$6.25; N. V. Dittlinger, May 6, 1918, in the amount of \$12.50, February 10, 1919, in the amount of \$12.50, January 28, 1921, in the amount of \$12.50; J. E. Dittlinger, January 10, 1919, in the amount of \$37.50, June 21, 1920, in the amount of \$12.50; and John O. Dittlinger, November 14, 1918, in the amount of \$12.50.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

A letter from the Central Texas Automobile Association, commending the splendid work of the Police Department and pledging its support in the enforcement of traffic laws, was read.

Upon motion duly made and seconded the Council recessed at 12:30 P. M., subject to call of the Mayor, by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Approved: Tom Miller.
Mayor.

Attest:

Hallie McKeel
City Clerk